

### **REMARKS/ARGUMENTS**

Claims 1-57 and 59-62 are pending in this application. Claims 1-48, 51-57, and 59-62 have been rejected, and claims 49 and 50 have been withdrawn. Claims 1, 18, and 59 have been amended. Claim 58 was previously canceled. For at least the reasons stated below, Applicant asserts that all claims are in condition for allowance.

#### **Rejections under 35 U.S.C. § 112**

Claims 1-57 and 59-62 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Examiner asserts that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time of the application was filed, had possession of the claimed invention. Specifically, Examiner alleges that the following limitations are not supported by the specification: “wherein the authorization agent is a bank that issued the credit card to the user, a credit card company, or an agent of the bank or the credit card company”; “wherein the authorization agent is a bank, a credit card company, or an agent of the bank of the credit card company”; and “wherein the authorization agent is a bank that issued the card to the non-user, a credit card company, or an agent of the bank or the credit card company.”

Applicant respectfully asserts that the aforementioned claim limitations are described in the specification in such a way as to be conveyed to one skilled in the relevant art in accordance with 35 U.S.C. § 112, first paragraph. Specifically, referring to the authorization agent, the specification states: “In one embodiment of the present invention, the credit card owner may provide its Internet address to the credit card company, card-issuing bank, third party or other authorization agent.” Specification, page 3, lines 25-27. Moreover, Figure 3 shows a flow chart of the authorizing system according to one embodiment of the present invention that indicates a merchant, after receiving a consumer’s credit card information, “sends authorization request to credit card company (CCC), bank (b), or authorization agent (AA) such as Novus or Cirrus.”

Applicant respectfully asserts that that forgoing would convey to one skilled in the relevant art the limitations relating to the authorization agent being a bank that issued the credit card, a credit card company, or an agent of the bank or the credit card company.

Rejections under 35 U.S.C. § 102

Claims 1-10, 12-14, 16-18, 20-27, 29-31, 33-56 and 59-61 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,529,725 to Joao et al. For at least the reasons below, the cited reference fails to teach each and every element of every claim as required by MPEP § 2131. Accordingly, Applicant respectfully requests that the rejections be withdrawn.

Independent claim 1 recites “sending contact information of a user identifying an electronic authorization channel over which an authorization request can be sent seeking authorization to complete a credit card transaction, the contact information being accompanied by personal data of the user that verifies the user’s identity.” The Joao reference clearly fails to disclose sending contact information that identifies an authorization channel that can be used for sending an authorization request, and the reference fails to disclose sending personal data of the user with the contact information.

Examiner cites sections of the Joao reference (col. 16, lines 4-13; col. 6, lines 15-21; and col. 31, lines 49-62) as allegedly teaching sending contact information. Office Action 2/27/2006, p. 3. Applicants respectfully disagree because at each of these cites to Joao, the reference merely describes (1) a database that stores “account information and data pertaining to the cardholders and/or the cardholder accounts”; (2) transmitting signals and/or data to any one or more of the cardholder’s” communication device; and (3) a database that stores “account information and data pertaining to” the owner’s communication device. However none of these citations describe the act or step of sending contact information identifying an electronic authorization channel to a database.

In the system according to Joao, the information is pre-stored or being used to transmit signals; the information is not being sent. Moreover, nowhere does the reference teach accompanying the contact information with personal data of the user that verifies the user’s

identity, as recited in claim 1 as amended. Because Joao only teaches pre-stored information, the reference fails to teach that the information was provided by an individual who possessed personal data of the user as opposed an unauthorized individual who may have surreptitiously obtained the card.

Independent claim 18 recites “receiving a request to authorize a transaction, subsequent to acquiring the contact information,” and independent claim 59 recites “a communication channel to contact, subsequent to the card being registered with the server, an authorizing entity who registered the card with the server.” As described above, the Joao reference fails to describe the act of sending contact information that identifies an authorization channel that can be used for sending an authorization request. For the same reasons, the reference fails to describe the authorization agent “acquiring the contact information” or “the card being registered with the server,” much less that the transaction authorization request occurs subsequent to the steps of acquiring and registering.

Independent claim 56 recites an authorization agent acquiring contact information for multiple parties and sending an authorization request to multiple parties and requiring approval from all of the parties before approving a single transaction. The Joao reference fails to disclose a single authorization agent that acquires contact information for multiple parties for purposes of authenticating a single transaction, or sending an authorization request to those multiple parties and requiring approval from all of the parties before approving a single transaction. For at least these reasons, the § 102 rejection is unsupported by the art.

Rejections under 35 U.S.C. § 103

Independent claim 39 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,529,725 to Joao et al. in view of U.S. Patent No. 6,055,505 to Elston. The rejection states that “Joao substantially discloses the claimed invention, however, it does not disclose requiring a password/PIN,” and that Elston discloses a password/PIN. Applicant respectfully disagrees with the assertion that “Joao substantially discloses the claimed invention [of claim 39].

Specifically, Applicant points out that claim 39 requires “monitoring the latest Internet address where the authorized entity is visiting,” “comparing the latest Internet address with the corresponding Internet address from the online business,” and approving a request to authorize a transaction if the latest Internet address matches the Internet address from the Online business. Neither Joao, Elston, nor the combination thereof, teach or suggest anywhere monitoring Internet addresses, comparing Internet addresses, and approving a transaction request based on the comparison of Internet addresses.

Claim 41 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of Elston and Vance. The combination of the reference clearly fails to teach or suggest, “providing a predetermined purchase order information about a transaction through the Internet” and “comparing the predetermined purchase order information and the actual purchase order information” to determine whether to approve a request. The Vance reference, which is relied upon by the rejection to teach or suggest these limitations, describes a trip authorization process for a traveler building an itinerary. Col. 5-6. However, nowhere does the reference describe how the authorization process operates or whether predetermined order information is compared against actual purchase information to determine whether to approve a request. To the contrary, the reference describes an approver who reviews the trip request, col. 6, lines 1-12, which suggests that an individual’s subjective judgment may be involved in the decision process, as opposed to objective comparison as claimed.

Claims 42 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of U.S. Patent No. 6,442,526 to Vance et al. The rejection asserts that “Joao substantially discloses the claimed invention, however, it does not disclose the owner includes other uses that are authorized by the owner” and “Vance teaches the use or preapproving employee corporate credit card usage for selected purchases.”

There is no suggestion or motivation to combine these references to achieve the present claimed invention, nor would the combination of these references teach or suggest each and every claimed limitation. Specifically, the present invention as claimed in claim 42 requires “sending electronically an authorization request from an authorization agent to a non-user of the

card, wherein the authorization agent is a bank that issued the card to the non-user, a credit card company, or an agent of the bank or the credit card company” to determine whether to approve a specific card-based transaction. The foregoing allows, for example, a non-user parent to approve or deny a child’s individual credit card transactions in real-time, or allow an employer to approve or deny an employee’s individual credit card transactions in real-time. The same is not true of the Vance reference. Vance describes an approver who reviews an employee’s trip request, as opposed to a card transaction, col. 6, lines 1-12, and decides whether to approve the trip, prior to a card transaction being initiated. In this teaching, the user-employee has not initiated a card transaction, nor has the transaction been sent to an authorization agent (i.e., a bank that issued the card to the non-user, a credit card company, or an agent of the bank or the credit card company) for approval. The request has only been sent internally to the employer. There would be no motivation to combine the non-card pre-transaction system of Vance with the real-time credit card system of Joao.

The remaining claims are variously rejected under 35 U.S.C. §§ 102, 103 and are allowable as being dependent on allowable independent claims for at least the reasons stated above.

This application now stands in allowable form and reconsideration and allowance are respectfully requested.

Respectfully submitted,

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